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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

HANS MENOS, derivatively on behalf of  
ECO SCIENCE SOLUTIONS, INC.,

Plaintiff,

v.

JEFFERY L. TAYLOR, DON L.  
TAYLOR, L. JOHN LEWIS, S.  
RANDALL OVESON, and GANNON  
GIGUIERE,

Defendants,

and

ECO SCIENCE SOLUTIONS, INC.,

Nominal Defendant.

Case No. 3:17-CV-00662-LRH-CBC

**STIPULATION AND**  
**ORDER REGARDING DEFENDANTS'**  
**RESPONSE TO AMENDED**  
**COMPLAINT**

**(Second Request)**

1                   **STIPULATION REGARDING DEFENDANTS’ RESPONSE TO AMENDED**  
2                   **COMPLAINT AND REQUESTING THE REOPENING OF THE ACTION**

3                   Pursuant to LR IA 6-1 and LR IA 6-2, Plaintiff Hans Menos (“Plaintiff”), by and through  
4 his counsel the law firms of Leverty & Associates Law Chtd. Ltd. and The Rosen Law Firm, P.A.  
5 and Defendants Jeffery L. Taylor, Don L. Taylor, L. John Lewis, S. Randall Oveson and Gannon  
6 Giguere (collectively, “Individual Defendants”) and Nominal Defendant Eco Science Solutions,  
7 Inc. (“Nominal Defendant” and with Individual Defendants, “Defendants” and with Plaintiff, the  
8 “Parties”), by and through their counsel, the law firm of Greenberg Traurig, LLP, hereby stipulate  
9 and agree:

10                  **WHEREAS**, on February 5, 2019, the Court entered the Parties’ Stipulation and Order  
11 Regarding Defendants’ Response to Amended Complaint and Plaintiffs’ Response to the  
12 Emergency Motion to Stay Civil Case (the “February Order”) (Dkt. No. 55). Pursuant to the  
13 February Order, if Judge Kobayashi denied the motion to stay in the related derivative actions,  
14 *Bell v. Taylor, et al.*, Case No. 17-cv-00530 (D. Hawaii) and *D’Annunzio v. Taylor, et al.*, Case  
15 No. 18-cv-00016 (D. Hawaii) (the “Hawaii Actions”), then Defendants will withdraw their  
16 Emergency Motion to Stay Civil Case (“Stay Motion”) (Dkt. No. 52) and the Parties would agree  
17 to a schedule for the response to the Verified First Amended Shareholder Derivative Complaint  
18 (“Amended Complaint”). On April 26, 2019, Judge Kobayashi denied the motion to stay in the  
19 Hawaii Actions;

20                  **WHEREAS**, on August 6, 2019, Defendants withdrew the Stay Motion (Dkt. No. 57).

21                  **WHEREAS**, there are additional related proceedings in the United States District Court  
22 for the Southern District of California (*U.S. v. Giguere*, Case No. 18CR3071-WQH) previously  
23 scheduled for an August trial but which resolved with a plea agreement on July 23, 2019;

24                  **WHEREAS**, the parties in this action were monitoring the related proceedings, the  
25 closure of which provides some guidance to the prosecution and defense of this action;  
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1       **WHEREAS**, the parties in this action have preliminarily discussed alternative dispute  
2 resolution, are continuing these discussions, and require time to continue those discussions and  
3 potentially coordinate with the parties to the related derivative actions;

4       **NOW, THEREFORE**, the parties in this action stipulate and agree as follows:

5       1.       Defendants shall answer or otherwise respond to Plaintiff's Verified Amended  
6 Shareholder Derivative Complaint filed with this Court on December 21, 2018 (the "Amended  
7 Complaint") by September 10, 2019.

8       2.       The parties agree that if they continue to make progress in their discussions about  
9 alternative dispute resolution, they agree to meet and confer and discuss the possibility of an  
10 additional extension of Defendants' deadlines to respond to the complaint, subject of course to  
11 the Court's approval.

12       3.       In the event that the Defendants respond to Plaintiff's Amended Complaint by  
13 moving to dismiss, Plaintiff shall file an opposition to Defendants' motion to dismiss by October  
14 21, 2019 and Defendants shall file a reply to Plaintiff's opposition by November 11, 2019.

15       4.       This request is made in good faith and not for the purpose of delay. Rather the  
16 stipulation and schedule set forth above will further the efficient and expedient disposition of the  
17 above-captioned case.

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24       **SEE NEXT PAGE FOR ORDER**  
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1 This is the second stipulation requesting a new schedule for the response to the Amended  
2 Complaint since a decision in the Hawaii Action on the stay issue.

3  
4 Dated: August 26, 2019

By: /s/ Patrick R. Leverty

5 Patrick R. Leverty  
6 LEVERTY & ASSOCIATES LAW CHTD.  
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8 Reno, NV 89502

9 Phillip Kim  
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12 New York, NY 10016

*Attorneys for Plaintiff*

13 Dated: August 26, 2019

By: /s/ Christopher R. Miltenberger

14 Mark E. Ferrario  
15 Christopher R. Miltenberger  
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18 Las Vegas, NV 89135

19 Joel M. Eads  
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*Attorneys for Defendants and Nominal  
Defendant*

23 **IT IS SO ORDERED:**

24 DATED this 28th day of August, 2019.

25   
26 LARRY R. HICKS  
27 UNITED STATES DISTRICT JUDGE  
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